

November 8, 2020

Dear Chatham County Planning Board and related Chatham County officials,

We, Don and Kathy Tyndall, in the residential area known as Arbor Lea, have just received formal communication, as of Friday, November 6, 2020, concerning the rezoning of the Performance Bicycle property located at 144 Old Lystra Rd, Chapel Hill, NC 27517. Due to the cyber incident, we have no ability to communicate with you except through the postal service.

We request that the hearing on the rezoning of this property be adjourned without action until Avison Young, the commercial real estate company representing the owner, has met with adjacent owners and the Arbor Lea Board of Directors to address their concerns and that the application review be continued at a further public hearing after appropriate notice to all adjacent owners.

Our Concerns:

1. The current plan to rezone this property will lower the quality of life for area residents and may reduce the value of their property. Elements causing such an impact include but are not limited to: Increased noise, smell (depending on the business that occupies the building), and illumination from traffic entering and leaving the property, including the starting of engines in parking lots. We already have an issue with disturbing the peaceful and quiet enjoyment of residential property. The present building detracts from the scenic beauty of the countryside. If the property is permitted to be used for businesses that operate machinery and have employees that come in and out at all hours, peace, as well as the beauty of the area, will be further disturbed.
2. The rezoning plan will encourage a sharply increased volume of traffic on our country road. The increase in traffic will be a safety hazard to residents in the Old Lystra Road area and may adversely affect their health and welfare. Old Lystra is a narrow and winding residential road. The shoulders are used by pedestrians, the road for bicyclists, small children are in the area as well, and traffic has already increased with the completion of the UNC--CH/Chatham County Park and Ride.
3. Large trucks turning around into our driveways, because they miss the entrance to the 144 Old Lystra Road property, will be increased with industrial rezoning. The heavy equipment and traffic that will increase on the *pervious* pavement of UNC's parking lot and our driveways is particularly destructive. This is still a residential county road that cannot take the traffic of business zoning, much less a light industrial rezoning that will increase the large truck and equipment traffic.
4. Occupancy of this building will not improve the building's condition or our property values—faded paint, mildewed stucco, crumbling driveway and parking lot pavement issues. (see attached photos) Furthermore, when the first business building, Performance, was constructed and an addition added several years later, it was never landscaped or lit properly as promised. It is not the "lovely business addition" to our community that it was purported to be. Even the signs denoting the business are not "appealing and lovely".

Suggestions:

1. Establish an alternative means for trucks and vans to get in and out of this building without the use of Old Lystra Road.
2. Extend the buffer or berm existing in front of the Old Lystra Road SECU to the entire length of the 144 Old Lystra Road property with soil rounded to six feet high and twelve feet wide, planted on its slope with ground covering shrubs and planted on its crest with double offset rows of closely spaced evergreens at least fifteen feet tall at the time of planting. *This would be an extension of the present buffer from the 15-501 entrance of Old Lystra (north of the SECU) down Old Lystra Road to the eastern edge of the property line of 144 Old Lystra Road.
3. Limit the types of businesses and hours of operation permitted. Do not permit use of this parcel for businesses that operate at all hours or use machinery operating above 70 decibels.
4. Limit all lighting to that which shines downward and away from Old Lystra Road.

So, in summary:

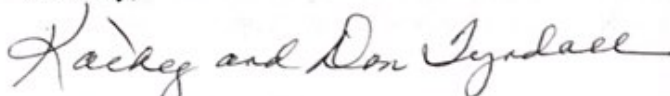
What business will occupy this building that now requires new zoning? Will this business increase traffic on this residential county road, increase the number of large trucks turning into our driveway and into the University pervious pavement parking lot? Create more noises and smells that drive out and drown out the beautiful nature that already exists here? Will the building continue to be an eyesore because it, the driveways, and parking areas are still not maintained? Will people be working at all hours? What about the trash, littering, and loitering in our residential area?

Until these matters are addressed, this land and building should not be considered for anything but residential zoning or Neighborhood Business District zoning. The people based in Florida, who own this building, have no vested interest in the beauty and loveliness of this area; they only own a building they want occupied—paying a realty company, based in Canada, to get the job done.

This building is not rented in part because this area of Northeast Chatham County is not well-suited for industry. It is too close to the University of North Carolina—Chapel Hill, and the land would be much better suited for its original residential zoning...what it was before the original Performance property was railroaded through by the Planning Board years ago. This building would be better torn down and the land used for a residential area. Instead of providing jobs, you would provide homes—just as great a need and a much better fit for this area.

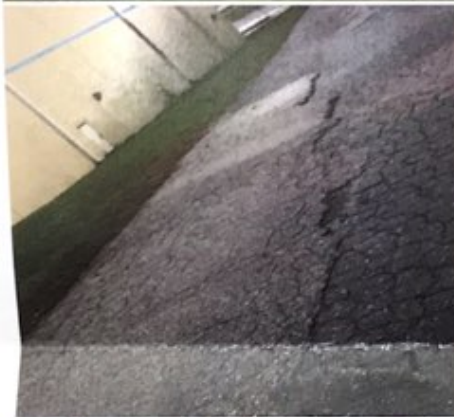
Thank you for listening and considering the viewpoint of a longtime Chatham County resident who cares about the beauty of this area.

Sincerely,



Kathy and Don Tyndall





November 10, 2020

Jason Sullivan
Chatham County Planning Board
PO Box 54
Pittsboro, NC 27312

Dear Mr. Sullivan,

As an adjacent landowner to the Performance building on Old Lystra Road in Chapel Hill, we would like to express our concerns over the Performance building being rezoned from Neighborhood Business to Light Industrial.

There are several concerns that K&B does not address in their application, including but not limited to:

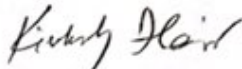
1. The nature of the business that will occupy this building and the products being produced
2. Why the building needs to be rezoned
3. Increased truck, van, and car traffic--the volume, nature, and character of the traffic has not been discussed, nor has the possible road damage due to heavy equipment
4. Depending on the nature of the business--quality of our well water due to chemical contamination and/or noxious odors
5. Trash, littering, and loitering in our neighborhood and along our road
6. Hours of operation
7. Landscaping to screen the building and traffic from our neighborhood

We know that our neighborhood association, The Arbor Lea Board of Directors, wrote a letter asking the Commissioners to reconsider rezoning until these issues and others are addressed, but we also wanted to send our own concerns and ask to reconsider rezoning as an adjacent land owner.

We plan to attend the meeting virtually on Monday, November 16 that is addressing this rezoning request.

Thank you for your consideration to these issues as you make your decision.

Best Regards,



Kimberly Flair and Anzor Gachechiladze
139 Old Lystra Road
Chapel Hill, NC 27517
anzora@yahoo.com